

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Danishefsky et al.

Application No.: 10/551,158

Confirmation No.: 3195

Filed: September 25, 2006

Art Unit: 1626

For: MIGRASTATIN ANALOGS AND USES
THEREOF

Examiner: Robert H. Havlin

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT (IDS)

Mail Stop RCE
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Pursuant to 37 CFR 1.56, 1.97 and 1.98, the attention of the Patent and Trademark Office is hereby directed to the references listed on the attached PTO/SB/08. It is respectfully requested that the information be expressly considered during the prosecution of this application, and that the references be made of record therein and appear among the "References Cited" on any patent to issue therefrom.

This Information Disclosure Statement is being filed before the mailing date of a first Office Action, after the filing of a Request for Continued Examination (37 CFR 1.97(b)(4)).

Applicant submits herewith copies of foreign patents and non-patent literature in accordance with 37 CFR 1.98(a)(2).

Certain foreign patent references submitted herewith are written in a language other than English. Below, Applicant lists these references and their English language abstracts or counterparts, if any.

1. For Japanese Patent Publication No. 2003-171335, Applicant has provided an English language abstract.
2. For International Patent Publication No. WO2004/083164, Applicant notes that US Patent Application Publication No. 2006/0173205 is a counterpart application.
3. For Japanese Patent Publication Nos. 7-138257, 56-34656, and 56-34655, Applicant is unaware of an English language abstract or counterpart application. These references were cited by the Japanese Patent Office in the prosecution of Japanese Patent Application No. 2006-509430, which is the Japanese counterpart to the present application. Applicant has included herewith a translation of the Official Action from the Japanese Patent Office, which cites these references as references 4, 9, and 10, respectively (see page 6 of the translation of the Notice of Reasons for Rejection in Japanese Patent Application No. 2006-509430).
4. For Japanese Patent Publication No. 2000-178223, Applicant notes that US Patent 6,326,349 is a counterpart application.
5. For Japanese Patent Publication No. 2002-519396, Applicant has provided corresponding International Patent Publication No. WO00/01648.
6. For European Patent Publication No. 374445, Applicant has provided an English language abstract.
7. For Japanese Patent Publication No. 61-56146, Applicant has provided an English language abstract.

8. For International Patent Publication No. WO01/46451, Applicant is unaware of an English language counterpart, but an English language abstract is provided in the publication.

9. For International Patent Publication No. WO2004/009380, Applicant is unaware of an English language counterpart, but an English language abstract is provided in the publication.

In accordance with 37 CFR 1.97(g), the filing of this Information Disclosure Statement shall not be construed to mean that a search has been made or that no other material information as defined in 37 CFR 1.56(a) exists. In accordance with 37 CFR 1.97(h), the filing of this Information Disclosure Statement shall not be construed to be an admission that any patent, publication or other information referred to therein is “prior art” for this invention unless specifically designated as such.

It is submitted that the Information Disclosure Statement is in compliance with 37 CFR 1.98 and the Examiner is respectfully requested to consider the listed references.

A Request for Continued Examination and the required fee are being submitted via the USPTO EFS credit card payment option concurrently herewith. To the extent that there are any discrepancies between what Applicant has paid with the filing of this paper and what the USPTO believes is owed, Applicant respectfully requests that a Notice be issued explaining any such discrepancy.

Dated: December 23, 2010

Respectfully submitted,

By /John P. Rearick/

John P. Rearick, PhD

Registration No.: 64,909

CHOATE, HALL & STEWART, LLP

Two International Place

Boston, Massachusetts 02110

(617) 248-5000

Agent for Applicant